

1614

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of :
COATES et al. : Examiner: F. Krass
Serial No.: 09/771,701 : Group Art Unit: 1614
Filed: January 30, 2001 :

For: 1,3-OXATHIOLANE NUCLEOSIDE ANALOGUES

ELECTION

Assistant Commissioner for Patents
Washington, DC 20231

SIR:

REMARKS

Election

In the Office Action of March 13, 2002, the pending claims were divided into three groups: Group I (claims 20, 21, 23- 40, and 50-55) drawn to compositions; Group II (claims 22, 41-49, and 56-58) also drawn to compositions; and Group III (claim 19) drawn to methods for treating HIV infections. In addition, the Examiner has also made an election of species requirement, requesting that a specific D-nucleoside be elected.

In response to the Restriction Requirement, applicants' hereby elect Group I. Further, with regards to the election of species, applicants elect AZT as the 2', 3'-dideoxy nucleoside compound used in combination with (-)-(2R,cis)-4-amino-1-(2-hydroxymethyl-1,3-oxathiolan-5-yl)-(1H)-pyrimidin-2-one or a pharmaceutically acceptable salt thereof. However, the Restriction Requirement is respectfully traversed.

Claim 20 is the independent claim of Group I. This claim recites a composition comprising a 2', 3'-dideoxy nucleoside compound in combination with (-)-(2R,cis)-4-amino-1-(2-hydroxymethyl-1,3-oxathiolan-5-yl)-(1H)-pyrimidin-2-one or a pharmaceutically acceptable salt thereof. On the other hand, claim 22 is the independent claim of Group II.



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Kharmon
4/25/02